

4600 Giant Springs Rd. Great Falls, MT 59405 March 20, 2013

Dear Interested Party:

This letter is to notify you that I have made a decision regarding Montana Fish, Wildlife & Parks (MFWP) implementation of grazing lease renewal on the Beartooth Wildlife Management Area (BTWMA). My decision is to move forward with the proposed action. The lease will allow the removal of current vegetation by grazing as a management tool to enhance the subsequent availability and palatability of forage on that portion of the BTWMA described in the Environmental Assessment and a Draft Grazing Management Plan.

No modifications were made in the documents you received/reviewed after the public review period. Please consider your previous copies of the Environmental Assessment and Draft Management Plan along with the stipulations of this Decision Notice as final.

Comments received regarding the Beartooth Wildlife Management Area Proposal are summarized in the enclosed Decision Notice. No changes have been made to the draft Environmental Analysis after consideration of public input. It is my recommendation to move forward with the proposed grazing system lease renewal on a portion of the Beartooth Wildlife Management Area with lessee Sieben Live Stock Company.

Thank you for your interest and involvement.

Sincerely,

Gary Bertellotti

Region 4 Supervisor

Montana Fish, Wildlife & Parks

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DECISION NOTICE for the Draft Environmental Assessment: Beartooth WMA Grazing Lease Renewal – Staunten Cow Camp

Region 4 Headquarters 4600 Giant Springs Road Great Falls, MT 59405

DESCRIPTION OF PROPOSED ACTION:

Montana Fish, Wildlife & Parks (FWP) proposes to lease approximately 4,960 acres of the Beartooth Wildlife Management Area (BTWMA) for cattle grazing to better manage vegetation for wildlife to adjoining landowner (lessee) Sieben Live Stock Company for a 6-year period.

MONTANA ENVIRONMENTAL POLICY ACT AND PUBLIC REVIEW PROCESS

FWP is required to assess impacts to the human and physical environment under the Montana Environmental Policy Act (MEPA). The Beartooth Wildlife Management Area grazing lease renewal proposal and its effects were documented by FWP in an Environmental Assessment. A 21-day public comment period ran from February 15 through March 8, 2013. Public notices of the draft Grazing Proposal and Environmental Assessment were placed on the FWP web site and were announced in a news release to the area and statewide newspaper outlets. Hard copies were available at the FWP Region 4 office in Great Falls, and were offered via mail at request.

ALTERNATIVE TO PROPOSED ACTION:

Alternative A: No Action – No renewal of existing rest rotation grazing system.

- Decadent residual vegetation will remain, and the area will become unattractive to elk, mule deer and other wildlife species.
- Mule deer, elk and other big game will likely utilize adjacent private land, especially during spring through falls months.
- Continued concern by some neighboring landowners regarding fire danger (build-up of vegetation) on the BTWMA.

Alternative B: Proposed Action

- Managed vegetation cycles across a 3-year rest rotation period on 21,440 acres (4,960 FWP, 16.480 Sieben Live Stock).
- Soil and plant disturbance that will benefit seedling establishment of desirable plant species.
- Two of three years during grazing treatment each pasture has growing season rest for plant root development and maintenance.
- One of three years, one pasture in system has complete rest from grazing for plant health and wildlife habitat needs.
- Provide for better spring and summer green-up vegetation conditions for elk, mule deer and other wildlife species, thereby reducing elk, mule deer and other big game usage of adjacent private property.
- Continued strong relations with area Landowners.
- Promote maximum plant vigor and nutrient production.

If the No Action (Alternative A) is chosen, FWP would continue to manage the WMA for the benefit of wildlife species and for public access. Current services and maintenance of the WMA would continue. No impacts to environmental or human resources would be expected to occur as a result of livestock grazing given that the area wouldn't be grazed by livestock. Alternative A, no action, would not allow FWP to effectively manipulate vegetation with livestock grazing for the benefit of wildlife species in this portion of the WMA.

SUMMARY OF PUBLIC COMMENTS (WITH FWP RESPONSES)

The draft EA was available for public comment from Feb. 15 – March 8, 2013. Solicitation of public input resulted in receipt of 19 comments (17 positive, 2 neutral/negative) and 1 additional late comment. Comments were received as 4 letter and 15 e-mail responses. Responses came from 3 organized groups (Gallatin Wildlife Association, Russell Country Sportsmen Association and Devil's Kitchen Working Group) with the remainder from private sportspeople. Following are questions and salient points made in those responses with added *FWP response in italics*:

1) While it is unclear where the sampled sites are, vegetation data displayed on pages 40 and 41 in the EA appear to be from either one or two big sagebrush sites. Regardless, this information reveals the less productive increaser species such as Sandberg bluegrass, western wheatgrass, prairie junegrass, needle and thread, shrubby cinquefoil, hoods phlox and prickly pear cactus are dominating these plant communities. Big sagebrush and vagrant lichen are also major components of one of the range sites sampled (EA, page 40), while bluebunch wheatgrass makes up only 3% of the second plant community (EA, page 41). Climax species such as Rough Fescue and bluebunch wheatgrass are apparently components of the community, but apparently at very low levels. Our review of the displayed vegetation information is further complicated by the discussion and photos revealed on page 37 of the EA where it is again unclear where the sites are that were sampled. Were they even on the WMA? The discussion notes the rancher, Chase Hibbard and his consultant "toured the ranch" where 5 sample sites were established and sampled in July and August of 2010. The photos on page 37 reveal what appears to be a preponderance of bare ground in the photo on the right (Figure 1) and no big sagebrush canopy on the photo on the left (Figure 2). However, the photo on the left (Figure 2) and another photo on page 38 (Figure 3) were apparently both taken in Colorado and a photo on page 40 (figure 7) comes from Wyoming. Is the vegetation data displayed in the EA from the WMA or elsewhere? We find this vegetation discussion/data completely confusing and useless. Please rewrite the EA with vegetation information pertinent to the Beartooth WMA in a fashion that can be understood, reviewed and analyzed by the public in a meaningful way. We suggest providing data that compares areas subjected to the livestock use system on the WMA with areas that are subjected only to native wildlife use.

Pages 37-43 of the draft EA detail "Monitoring Methods" utilized by Ranch Advisory Partners, LLC in range transect monitoring. These pages of the draft EA were provided to inform the public of range monitoring methods employed in the 5 vegetation transects on Sieben Live Stock and FWP's Beartooth WMA. Pages 29-36 detail results from the Beartooth WMA vegetation transect.

2.) What data does FWP have that reveals the impacts of the last 21 years of livestock use in the restrotation system to either vegetation or wildlife? While the EA, page 35 notes: "The ranch has experienced reduced livestock performance in recent years." How have the wildlife been doing? As well, an in depth nutrient analysis was done of the vegetation on behalf of the livestock production concern. Again, what about the wildlife? Please display FWP wildlife monitoring data in the final EA. The "Ranch" referenced in the vegetation monitoring and nutrient analysis on page 35 is Sieben

The "Ranch" referenced in the vegetation monitoring and nutrient analysis on page 35 is Sieben Live Stock, not the BTWMA. Wildlife surveys are conducted both aerially and ground by the FWP area biologist on the Beartooth WMA. "Wildlife monitoring data" as requested by this

comment is not specific as to what wildlife species or to what area (Sieben Live Stock or BTWMA). BTWMA survey and inventory data for mule and white-tailed deer, elk, bighorn sheep, MAPS bird stations on Cottonwood Creek, BTWMA bird species list, and small mammal trapping data is, or has been, collected and available to the public at any time.

3.) Furthermore, are there any perennial streams in the livestock use pasture on the WMA? If so, are any of these streams fisheries? If so, how have the fish been impacted from the livestock use treatments as compared to protection from livestock impacts? Regardless, how have any riparian areas in the livestock use pasture responded as compared to riparian areas outside of the area impacted by livestock? What has been the impact of livestock use to the Tyrell Creek riparian zone over the years? The EA (Appendix B, page 21) notes that 10 artificial watering tanks have been installed as a result of impacts from livestock in the Tyrell Creek riparian zone. Where is this water diverted from? What have been the impacts to water quality and quantity for native vegetation and wildlife? How do elk, deer and other game and non-game species benefit from the diversion of water into livestock watering tanks (Appendix B, page 21)? As well, if livestock use is beneficial to the WMA's native wildlife and vegetation why did the FWP need to fence them out of the aspen stand described on pages 22 & 23 of Appendix B?

Sieben Live Stock has been at the forefront of livestock management while maintaining riparian and stream health for many years. Moreover, Sieben Livestock has been active in working with FWP to re-introduce native westslope cutthroat trout to Tyrrell Creek and Hound Creek Reservoir since 2000. Native westslope cutthroat trout were restored to Tyrrell Creek in 2008 and are currently thriving. "Habitat in Tyrrell Creek, under current Sieben Livestock rest rotation grazing management, is better than the vast majority of streams observed on private or public lands in north central Montana" (David Moser – FWP Fisheries Biologist -personal communication). Tyrelll Creek has a robust and healthy riparian plant community, stable streambanks, and excellent habitat for all life stages of westslope cutthroat trout. FWP has a close association with Sieben Livestock and will continue to coordinate to maintain these important fisheries.

The draft EA does indicate that water tanks have been installed in the BTWMA pasture. "During initial setup of the grazing system in the 1990's, Sieben Live Stock installed six water ranks on the BTWMA pasture to provide better cattle distribution in the uplands and to reduce cattle use of the Tyrell Creek riparian zone. This has worked very well to better distribute cattle throughout the system. In 2008, four more stock tanks were installed on the BTMWA by Sieben Live Stock to improve cattle distribution. Elk, deer and other game and non-game species continue to benefit from the increased water availability." Six of these tanks are near the Tyrell Creek area in the east side of the BTWMA pasture. Tanks were installed by the lessee using a spring collector and storage tank to alleviate cattle pressure on riparian and spring seep wet areas. Water is not "diverted" as described by the respondent. FWP wildlife staff "excluded" cattle from the aspen stand as described in the draft EA on page 22. This aspen stand is near a spring that eventually flows to Tyrell Creek about 1 mile to the east. The aspen stand is one of the few "shaded" areas in this part of the pasture. Cattle, during grazed periods, focus in on the lush aspens and cool, wet spring area, thus FWP staff built a "livestock exclosure" to eliminate cattle, but allow wildlife, to utilize of this aspen stand. This has worked very effectively, allowing the aspen stand to mature and to be used by all wildlife species at all times of the year (Exhibit 1 of draft EA).

4.) Native Species: Are there any native wildlife or plant species that have been extirpated from the WMA? Are bighorn sheep native to the area and do they still utilize the WMA? Didn't FWP just close down the bighorn hunting in HD 455, which encompasses the Beartooth WMA? What happened? How have bighorn sheep responded to the initiation of the rest-rotation livestock lease? Is the livestock use

occurring on any important bighorn sheep habitat or wildlife winter ranges? It has been recommended that livestock not be grazed on bighorn sheep habitat (Holechek et al 1998). Furthermore, livestock grazing at any intensity may be harmful to a species, such as bighorn sheep (Holechek et al 1998).

No wildlife or plant species have been extirpated from the WMA due to the grazing systems implemented on the BTWMA. Bighom sheep are indeed native to the Missouri River area and a small bighorn population utilizes lower reaches of the WMA along Holter Lake and the Gates of the Mountains Wilderness Area. Bighom sheep do not utilize the portion of the WMA described in the grazing system.

5.) How have elk, moose, antelope and mule deer responded to the livestock use since 1992? How has the native vegetation responded to the livestock use, in particular rough fescue and bluebunch wheatgrass? How have the aspen and willows done in the areas that are leased for livestock use? It appears on page 22 of the EA that the aspen are doing much better inside the cattle exclosure than outside the exclosure. How are the other native species responding to the livestock lease on the WMA, both plant and animal? What data has FWP collected on these native species since initiation of the rest-rotation livestock lease (1992-2013)? How did the native species respond to the 22 years of rest from livestock use from 1970-1992?

Elk, mule deer and other wildlife species readily use the grazed portion of the WMA. Annual winter surveys for elk, mule and white-tailed deer are conducted by the area wildlife biologist. Winter 2012 surveys revealed 1,667 elk, approximately 150 mule deer and 300 white-tailed deer wintering on the WMA. Moose do not inhabit the WMA, having only a handful of moose ever observed on the WMA, all of which were "traveling" through. Antelope utilize the lower elevations of the WMA along the Missouri River (Holter Lake – Ming Bar Area), but are occasionally observed during summer months in the higher elevations of the WMA, including the Staunten Cow Camp pasture described in the draft EA. Native vegetation continues to respond well and be in good health as indicated by range transects. Cattle are not negatively impacting riparian, aspen, willow or native vegetation in this grazing system.

6.) Deed Restrictions: Please clarify what and how "deed restrictions addressing management, subdivision and commercial limitations on BTWMA" are addressed by this program of private livestock use on our WMA (EA, page 17).

The Nature Conservancy, when selling the now named Beartooth Wildlife Management Area to FWP in 1970, subjected the property to following restrictions in the deed. These deed restrictions do not affect the draft BTWMA grazing lease renewal. The requirement of "Sound Game Management Practices" include appropriate wildlife and vegetation management which are part of the FWP's goals and objectives on all WMA's.

SUBJECT, however, to easements, restrictions and reservations of record.

This conveyance is made subject to the express condition and limitation that the premises hereby conveyed (the Preserve) shall forever be held as a game range and for no purpose inconsistent therewith and shall be utilized only in accordance with sound game management practices. No subdivision, or sale or lease of any portion of the Preserve shall be permitted, nor shall any commercial use be made of the Preserve or any portion thereof; structures and improvements shall be allowed to provide for water oriented recreation pursuits, the mountainous portions of the Preserve shall be held inviolate as far as intensive recreational developments are concerned.

7.) General Comment/Concern: NO ACTION. Stop grazing on wildlife management areas! Grazing does not improve plant health. Grass will "green up" in the spring without grazing. Grazing on WMA is based on politics not science. If you think that grazing is good for wildlife areas put Bison on them. Get cattle off WMAs.

Livestock use for vegetation management is a common practice in Montana. Livestock grazing is utilized as a tool by FWP on many Wildlife Management Areas, especially those with big game winter ranges.

8.) One respondent felt that there was an inadequate review of the scientific literature regarding the potential impacts of livestock grazing on wildlife, and asked FWP to supplement the draft EA with the science they had provided.

While review of the literature provided further knowledge and generated thoughts, it did not cause a departure from the belief that livestock grazing, when applied in an ecologically intelligent fashion, is an effective management tool for wildlife and their habitats, which is the case in the draft EA grazing system. Some of the literature provided by the respondent was not applicable to the area described in the draft EA grazing area (e.g. bighorn sheep).

9.) Periodic Prescribe Fire as an Alternative to Livestock Use: Please consider as an alternative to the livestock use alternative a plan to prescribe periodic fire treatments to remove "decadent" vegetation if, when and where it may occur. Many shrubs, forbs and grasses beneficial to mule deer, bighorn sheep and other wildlife have evolved with and respond favorably to periodic fire events, perhaps every 20-30 years or so. Fire on this landscape is likely an important component of keeping mountain grasslands and shrub areas (such as chokecherry and serviceberry) open and productive from a forage and visibility perspective for bighorn sheep and mule deer. Fire can be used to beneficially influence wildlife distribution as well. Please review such an alternative in the final EA.

There are two main reasons why FWP will not consider prescribed fire as a management tool on BTWMA: Human Safety and Adjacent Private Property– BTWMA is 32,318 acres along the Missouri River and Gates of the Mountains Wilderness Area. There is one main road along

Holter Lake to the WMA Headquarters. Three small two-tracks parallel Cottonwood, Elkhom and Willow Creek Drainages at the lower reaches of the WMA. In the vicinity of the proposed grazing pasture, there is one old vegetative covered two-track that travels through Voegele's, Sieben Live Stock and BTWMA. The nearest two-track to the south is the York road, south of the Gates of the Mountains Wilderness Area, 10 air miles from the Staunten Cow Camp pasture described in the draft EA. To the east, north and west, the only traveled road is Adel Road at Sieben Live Stock Headquarters, 10 air miles to the north. Holter Lake is over 10 air miles to the southwest of the pasture. Wildfires commonly occur on, and near, the WMA, due to lightning strikes (Meriwether Fire, Log Gulch, Black Beach to name a few in the last 6 years). Controlled burning on the WMA is not a realistic means of vegetative management. Controlled burning is not an option due to the area having no firebreaks, along with rough, inaccessible topography.

10.) And, most importantly, we suggest the FWP complete a comprehensive fish and wildlife management plan for the Beartooth WMA ASAP.

A management plan was written for the Beartooth WMA in May 2008 and available upon request.

- 11.) Supporting public comments for the Draft EA supporting Alternative B (Proposed Action) as follows:
- -I feel this is a great thing that FWP and Sieben Live Stock are doing. I'm in full support of the grazing on the BTWMA. I have seen firsthand how this has improved the habitat on the BTWMA, along with the relationship with the neighboring land owners. Thank you for your time.
- -I am in favor of renewing the cattle grazing lease with Sieben Live Stock Company on the BTWMA. As one of our most valued resources, the wildlife on the BTWMA benefits greatly from the current restrotation program that has been in place for decades. I have seen the benefits of this program firsthand. Please continue the program.
- -I read your environmental assessment for the Beartooth WMA grazing lease and believe it is a good project. Seems to me to be an opportunity for multiple use of government land and also get some benefits for wildlife forage. Pleased to see Sieben is in the block management program and since "our" elk are no doubt grazing a lot of their land it doesn't seem inappropriate to lease some wildlife areas to them. Especially if their cows will eat "our" weeds. I've hunted up in this area and good that the cattle will be out by hunting season. Thanks for the opportunity to review the proposal and comment.
- -I support the renewal of the grazing lease on the Beartooth WMA. I understand the important role that grazing plays in the overall health of the pasture on the WMA.
- -Beartooth Grazing -We have hunted the Beartooth Wildlife Management Area since 1971 (the year this wildlife management area was purchased) witnessed the 1990 bum personally lost our entire hunting camp, horse tack, & rifles. This fire was intensified by the massive amounts of grassy fuels that built up from 1971 to 1990 due to no grazing. We personally witnessed grazing meadows with so much grass residue and overload that it was difficult to walk through and over our heads in height. Since the well managed grazing system was instituted in 1991 with Sieben Livestock with improvements along the course, these conditions have slowly improved to none existent today. Meadows before filled with old rank grass, have given away to lush green grass in spring and summer, thus luring elk from private grasslands to the Beartooth where they are supposed to be. Current forage conditions on the Beartooth are of the highest quality for wildlife the elk love it, confirmed by the 100's & 1000's of elk that winter there currently. This grazing program has been a Win-Win situation for wildlife,

sportspersons, FW & Parks, & land owners alike!! Please continue this grazing program, improving where seen fit- continue the excellent work!

- -Russell Country Sportsmen's Association, on February 19, 2013, during a regularly scheduled general membership meeting, unanimously voted to support the EA to continue the cattle grazing, rest, rotation management plan which has proven to be successful in the past on the Montana Bear Tooth WMA. The number of deer and elk that call this WMA home and a place to seek refuge to endure Montana's winters is a testimony to the success of this grazing lease and plan. Over the years our Association has had the pleasure to learn from various range experts. We are convinced that a proper cattle grazing management plan on a WMA actually increases the available forage for the wild ungulates. We are very pleased with your dedication to the management of the range for the betterment of Montana's wildlife and sportsmen.
- -We have reviewed the draft Environmental Assessment (EA) prepared regarding a potential grazing lease renewal on the Beartooth Wildlife Management Area (BTWMA). The renewal of the grazing lease would allow cattle to be utilized as a management tool to remove residual vegetation, thus enhancing the availability and palatability of elk and mule deer forage on that portion of the WMA to be grazed. This portion of the WMA has been successfully grazed in a similar fashion with adjacent and cooperating lessee Sieben Live Stock Company for 21 years as part of a larger 3-pasture rest-rotation grazing system on 21,440 acres. We have had the opportunity to visit the area within the Beartooth Game Range that is part of the current three pasture grazing system. While there was some controversy when it was initially proposed years ago, we think it has been demonstrated effectively that this arrangement is truly a win-win for sportsmen and wildlife, as well as the adjoining ranching operation. Previously, twenty years of no livestock grazing, until the 1990 fire that burned the game range, had resulted in coarse, desiccated forage that was unpalatable for wildlife. The rest rotation system has clearly re-established long-term vigorous plant growth that encourages wildlife to remain longer on the public wildlife management area, thus reducing impacts on private range lands nearby. We strongly support renewal of the Beartooth grazing lease with the Sieben Livestock Company.
- -Concerning Beartooth WMA Grazing Lease; I believe that it is essential and in everyones best interest for the government agencies and private landholders to work together in a way that benefits the landholder, the government, and the public. This Beartooth grazing lease with Sieben Livestock is a good example of good management and excellent cooperation. I recommend this lease be approved.
- -I have hunted both the seiben and beartooth great hunting area. I am happy to see this lease get renewed. I hunted the beartooth many years prior to the fire in 1991. Very few elk actually where encountered on the beartooth due to the rank vegetation that non grazing had promoted. All the elk where on the adjoining neighbors property. Cattle grazing is good for the vegetation thus making the vegetation more palatable to elk this leads to an increase in elk distribution which is good for hunters as well. The only problem with this whole deal is why do you not graze the rest of the beartooth? I fully support livestock grazing as a means of managing elk distribution.
- -Proper grazing management, not simply the presence or absence of livestock, is a fundamental tool for land stewardship throughout Montana. This plan demonstrates FWP's commitment to responsibly managing the BTWMA. I fully support this plan.
- -Lease away, no harm can come from it.
- -Cattle are a great tool to remove the wolfy vegetation from the landscape and provide new forage an opportunity to establish. Utilization of an intense grazing rotation system creates this atmosphere while hardly impacting the native inhabitants (really it's just an inconvenience for the wildlife). This type of

management encourages maximum utilization of the forage by the cattle and if timed properly is a great tool to use cloven hoofed animals to distribute ripe seed and trample it into the ground. Finally, Sieben Livestock has proven to be a good neighbor to the Beartooth thru past practice, simply by just throwing a few gates open and managing it the way nature intended. In other words no big show or disruption to everyday routines of wildlife.

-This is great, I like the changes to the system that provides a response like the following to comments - before, I never knew if the comment went through the system or not. This is another positive step for the FWP and the public comment process.

-I support the continued grazing program on the Beartooth WMA in conjunction with Sieben Land and Livestock. The elk and deer have benefitted from the pasture management system and we should look forward to continued success with the project.

The Devil's Kitchen Working Group, at its February 1, 2013, meeting was presented with the Beartooth WMA grazing lease renewal proposal. The six-year lease renewal would continue with neighboring lessee Sieben Live Stock Company on about 22,000 acres of private and FWP lands. The Devil's Kitchen Working Group is very familiar with the Beartooth WMA and Sieben Live Stock Company, as both FWP and the Hibbard Family have been part of the Devil's Kitchen group and active participants since the group's inception in 1989. The Devil's Kitchen area has some of the most productive wildlife habitat in Region 4 thanks to the stewardship shown by area landowners and FWP's Beartooth WMA. The grazing systems on the Beartooth WMA are discussed frequently at our meetings with annual tours taken at our July meeting held at the WMA headquarters. The Beartooth WMA offers some of the best elk and mule deer range in the West thanks in part to grazing management and wildfires that have taken place over the last 25 years.

FWP's open lines of communication with landowners, outfitters, sportspeople, and state and federal agency personnel (who all have a seat at the table) in regard to any and all management activities taking place on the Beartooth WMA is what makes our group successful. At the February meeting, all the individuals present voted to support the renewal of the Staunten Cow Camp Grazing Lease. The Devil's Kitchen Working Group supports the proposed grazing lease renewal on the Beartooth WMA with Sieben Live Stock Company.

Thank you for the opportunity to comment.

STIPULATION OF THIS RECORD OF DECISION DOCUMENT None.

MODIFICATIONS TO ENVIRONMENTAL ANALYSIS AND MANAGEMENT PLAN

No modifications to the EA or the Management Plan are recommended.

DECISION

Utilizing the Environmental Analysis, Management Plan and public comment, a decision must be rendered by FWP that addresses the interests and issues identified for this proposed project. Given results of FWP's analysis coupled with the nature of the public comment, acceptance of this grazing proposal on the Beartooth Wildlife Management Area is warranted. After review of this proposal and the corresponding majority public support and comment, it is my recommendation that FWP proceed with renewing the Staunten Cow Camp grazing lease on the Beartooth Wildlife Management Area with lessee Sieben Live Stock Company.

Signed.

Gary Bertelløtti Region 4 Supervisor

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BTWMA Staunten Cow Camp EA Decision Notice Mailing List

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Russell Country Sportsmen Association – John Borgreen

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Devil's Kitchen Working Group

Safari Club International - Great Falls Chapter

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